

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
STATE HISTORIC PRESERVATION DIVISION
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KAPOLEI, HAWAII 96707

August 12, 2011

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CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

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KAIHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Chairperson and Members
Board of Land and Natural Resources
State of Hawai'i
Honolulu, Hawai'i

Land Board Members:

SUBJECT: REQUEST APPROVAL FOR SELECTION OF COMPETITIVE SEALED PROPOSAL AND AUTHORIZED THE CHAIRPERSON TO AWARD AND EXECUTE A CONTRACT TO DEVELOP, COORDINATE AND IMPLEMENT THE PROCESS FOR A NEW STATE HISTORIC PRESERVATION PLAN AND RESULTING FINAL DRAFT OF THE STATE PLAN FOR SUBMISSION AND ACCEPTANCE BY THE NATIONAL PARK SERVICE.

This Board Submittal requests approval to issue a Request for Proposal (RFP) under the competitive sealed proposal process, and authorize the Chairperson to award and execute a contract to develop, coordinate and implement the process for a new State Historic Preservation Plan and resulting final draft of the Plan for acceptance by the National Park Service.

BACKGROUND

In March 2010, the National Park Service (NPS) issued a report determining that the Hawaii State Historic Preservation Division (SHPD) did not comply with several provisions of its federal grant and deemed it a "high risk grantee". The NPS identified significant operational deficiencies in the several non-discretionary federally-mandated activities subject to Section 101.B.3 of the National Historic Preservation Act (NHPA) and funded by the Historic Preservation Fund. The NPS in consultation with SHPD and other agencies and external historic preservation organizations developed a two-year Corrective Action Plan and timeline to provide a guide for correcting these deficiencies. Loss of its status would have a significant and devastating impact on both heritage protection and timely processing of federal actions in Hawai'i.

The SHPD Corrective Action Plan and established timelines is intended to correct deficiencies noted in an NPS review conducted from 2007 – 2009 and detailed in their report dated March 2010. Implementation of elements of the plan has already begun and the remainder must be completed by June 2012. In this regard, SHPD desires to contract services for the development, coordination and implementation of the process for a new State Historic Preservation Plan and resulting final draft of the Plan for acceptance by the National Park Service.

ITEM I-1

The contractor will assist SHPD in: (1) organizing, coordinating and facilitating the development of the State Historic Preservation Plan from inception to completion with the approval of the NPS; (2) working with core team identified by the broader preservation community to develop a statewide historic preservation planning process; (3) facilitating participatory exercises to help stakeholders envision the future of resource preservation in Hawai'i, as well as develop and implement a public participation program that includes public workshops and stakeholder meetings; (4) working with the core team and the broader private and public preservation community to develop a new written State Historic Preservation Plan that describes a vision for historic preservation in the State and outlines the future direction for SHPD and partner organizations; (5) providing a single, concise, printed State Historic Preservation Plan document that contains the appropriate level of detail to communicate the major findings and conclusions, as well as address the full range of historic resources within the State; (6) ensuring that the planning process, approaches, and plan document must be in accordance with the standards, guidelines, and program requirements in Chapter 6, Section G of the Historic Preservations Fund Grants Manual (June 2007) administered by NPS; (7) incorporating the recommendations of the NPS Corrective Action Plan.

The contractor will report to the SHPD Administrator and consult with the NPS Liaison, as well as submit written reports beginning November 1, 2011 and quarterly basis thereafter. In addition, contractor will provide a final written report and draft of the State Plan for submission and acceptance by NPS at the end date of RFP.

DISCUSSION

Based on the requirements and special conditions of this procurement, SHPD recommends that a competitive sealed proposal process be used for the source selection. Such an approach will be the most advantageous procurement process because:

- 1) The primary consideration for the determination of the award for this Request for Proposals is not price.
- 2) Oral and written discussion may need to be conducted with the Applicants concerning aspects of the scope of work.
- 3) Awards need to be based upon a comparative evaluation as stated in the Request For Proposal of differing price, quality, proposed process, feasibility of completion by required timeline, and other contractual factors in order to determine the most advantageous offering to the State.

Pursuant to HAR 3-122-43, a determination by the Department procurement officer must be made for the use of the competitive sealed proposal process over the competitive sealed bidding process when the competitive sealed bidding process is neither practicable nor advantageous to the State.

Additionally pursuant to HAR 3-122-45, the procurement officer must make a determination that an evaluation committee, selected in writing by the procurement officer, shall evaluate the competitive sealed proposals. The evaluation committee shall consist of a least three government employees with sufficient qualifications in the area of the service to be procured and non-State employees with sufficient knowledge may be included pursuant to 3-122-45.01. The Department requests that the Board delegate authority to the Chairperson to appoint an evaluation committee meeting the specifications set forth in HAR 3-122-45 and 45.01.

In order to expedite a contract for this procurement, SHPD requests that the Board delegate authority to the Chairperson to award and execute the contract for goods and services based on the recommendations of the evaluation committee and other terms and conditions as may be prescribed by the Chairperson to best serve the interest of the State.

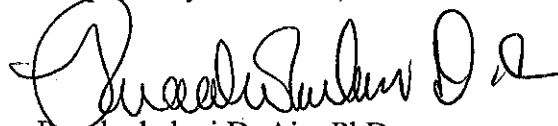
The Department has considered the potential effects of the above listed project as provided by Chapter 343, HRS and Chapter 11-200 HAR and declares that this project will have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.

RECOMMENDATIONS

That the Board:

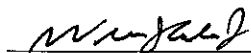
- 1) Approve the use of a competitive sealed proposal for the selection of a project director to develop, coordinate and implement the process for a new State Historic Preservation Plan and resulting final draft of the Plan for acceptance by the National Park Service.
- 2) Delegates authority to the Chairperson to:
 - a) Appoint an evaluation committee comprised of knowledgeable individuals to serve, evaluate, and select the competitive sealed proposals.
 - b) Award and execute a contract for goods and services, subject to the availability of funds and review and approval as to form by the Department of the Attorney General.

Respectfully submitted,



Puaalaokalani D. Aiu, PhD
Administrator

Approval For Submittal



WILLIAM J. AILA, JR., Chairperson
Board of Land and Natural Resources